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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FREDDY M. MOROCHO, WALTER TACURE on  
behalf of themselves and others similarly situated,

Plaintiffs,

-against-

GEORGE C. KELLY and  
NYACK COLONIAL CAR WASH, INC.,

Defendants.

07 Civ. 2979 (CLB) (MDF)

ELECTRONICALLY FILED

**AMENDED NOTICE OF  
MOTION**

**PLEASE TAKE NOTICE** that pursuant to Rules 12 and 56 of the Federal Rules of Civil Procedure, Defendants George C. Kelly and Nyack Colonial Car Wash, Inc. will make a motion before this Court, before the Hon. Charles L. Brieant, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, at 10:00 a.m. on September 27, 2007, for an Order dismissing the complaint or, in the alternative, granting summary judgment in favor of Defendants and for such other and further relief as the Court may deem just and proper, together with costs and disbursements of this motion and this action.

Dated: June 29, 2007

GEHRING & SATRIALE LLC

By: s/  
Joseph E. Gehring, Jr. (JG8178)

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